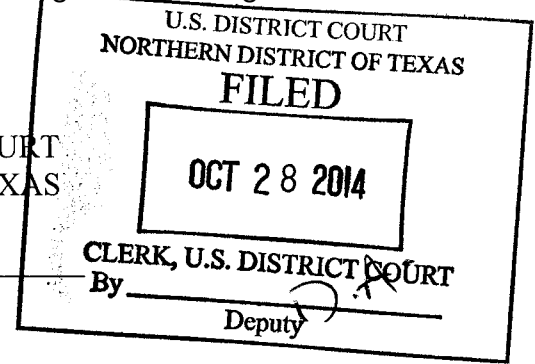


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



JIMMY F. McHENRY, PRO SE,
TDCJ-CID No. 1811322,
Previous TDCJ-CID No. 1060917,

Plaintiff,

V.

STINNETT POLICE DEPARTMENT ET AL., §

Defendants.

§ § § § §

2:13-CV-0228-J

ORDER MEMORIALIZING ORDERS ISSUED FROM THE BENCH

At the hearing conducted October 28, 2014 in the above-referenced and numbered cause, in open court, both plaintiff and defendant ROGERS stipulated to the accuracy and authenticity of plaintiff's EMS and Golden Plains Hospital records contained in Exhibits A-Q appended to plaintiff's original complaint in cause no. 2:13-CV-167.

Plaintiff submitted his untimely Requests for Admissions, Interrogatories, and Requests for Productions to the Court and to defendant ROGERS. After review of plaintiff's submission, defendant responded in open court to each of plaintiff's Requests for Admissions, admitting or denying each on the record, except for those on which defendant's objections were sustained and those which defendant needed time to verify.

The following orders were issued from the Bench:

1. Defendant ROGERS shall have twenty-one days in which to respond to those Requests for Admissions to which he did not respond in open court because time

was needed to verify the response. Defendant shall also, for the record, respond in writing to those Requests which were admitted or denied.

2. Defendant ROGERS has twenty-one days from the date of the hearing in which to respond to the Interrogatories or object to them. Defendant may combine his responses as discussed in open court.
3. Defendant ROGERS has twenty-one days from the date of the hearing in which to respond or object to plaintiff's Requests for Production.
4. Plaintiff is instructed he must obtain any documents from his defense counsel by himself.
5. Plaintiff is instructed that he must tender a witness fee for any subpoena he requests be issued by the Court.
6. If defendant has any information that Officer Rogers either heard directly from Ms. Brockett or that Deputy Hinder or Hutchinson County told him something Ms. Brockett said, defendant shall produce such within twenty-one days from the date of the hearing.
7. Any motion to compel must be submitted on or before December 2, 2014.
8. The deadline for motions for summary judgment is December 12, 2014, with responses due within twenty days after the filing of any dispositive motion.
9. The trial ready date is January 31, 2015. The actual trial date will be set by separate order.
10. There will be no further discovery except by leave of the Court.

11. Plaintiff's Motion to Request Transfer by Court Order [D.E. 121] is DENIED.

IT IS SO ORDERED.

ENTERED this 28th day of October, 2014.

A handwritten signature in black ink, appearing to read "Clinton E. Averitte", written over a horizontal line.

CLINTON E. AVERITTE
UNITED STATES MAGISTRATE JUDGE